

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

SEP - 8 2005

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)

CR. NO. 2:05CR197-F
[18 USC 922(g)(1)]

v.)

JOE CARROLL ZIGLAR a/k/a)

JOE CARROLL ZEIGLER)

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about March 22, 2005, in Montgomery County, within the Middle District of Alabama,

JOE CARROLL ZIGLAR a/k/a
JOE CARROLL ZEIGLER,

defendant herein, having been convicted on or about the dates set forth below of the offenses set forth below, each a felony punishable by imprisonment for a term exceeding one year under the laws of the State of Alabama:

CONVICTION DATE	COURT	CASE NUMBER	OFFENSE
October 11, 2000	Circuit Court of Montgomery County, Alabama	CC-2000-1330	Theft of Property (1st Degree)
October 11, 2000	Circuit Court of Montgomery County, Alabama	CC-2000-1331	Theft of Property(1st Degree)
October 11, 2000	Circuit Court of Montgomery County, Alabama	CC-2000-1332	Theft of Property (2nd Degree)
October 11, 2000	Circuit Court of Montgomery County, Alabama	CC-2000-1333	Theft of Property (1st Degree), Burglary (3rd Degree)

October 11, 2000	Circuit Court of Montgomery County, Alabama	CC-2000-1334	Theft of Property (1st Degree), Burglary (3rd Degree)
October 11, 2000	Circuit Court of Montgomery County, Alabama	CC-2000-1335	Theft of Property (1st Degree), Burglary (3rd Degree)
October 11, 2000	Circuit Court of Montgomery County, Alabama	CC-2000-1336	Theft of Property (1st Degree), Burglary (3rd Degree)

did knowingly possess in and affecting commerce firearm, to-wit: a Smith and Wesson, Model 1249, .38 Special Revolver, serial number 85080, in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

A. Count 1 of this indictment is hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation of Title 18, United States Code, Section 922(g)(1), as alleged in Count 1 of this indictment, the defendant,

JOE CARROLL ZIGLAR a/k/a
JOE CARROLL ZEIGLER,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

**One Smith and Wesson, Model 1249, .38 Special Revolver,
Serial Number 85080.**

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;

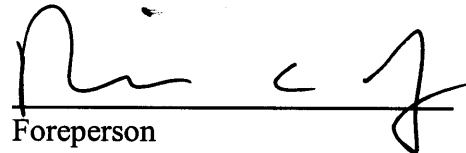
(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or,

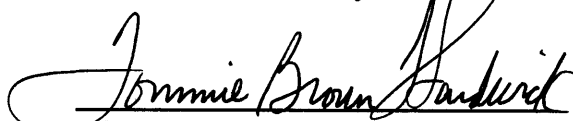
(5) has been commingled with other property which cannot be divided without difficulty, the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an Order of this Court forfeiting any other property of said defendant up to the value of the property described in the above paragraphs.

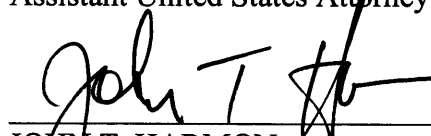
All in violation of Title 18, United States Code, Section 922.

A TRUE BILL:


Foreperson


LEURA GARRETT CANARY
United States Attorney


TOMMIE BROWN HARDWICK
Assistant United States Attorney


JOHN T. HARMON
Assistant United States Attorney